

Relief of the People—Probable Legislation
thorough, Concise and Humane—New
Railroad Project—The Supreme Court—
Local Bills, &c., &c.

RALEIGH, MONDAY, Feb. 28th, 1867.

Dear Journal:—With the second day of the session, there being no quorum on the first, both Houses of the General Assembly began work with a zeal which indicates a determination to get through with business as early as possible. Much has been done during the first week, but with the exception of the enrollment of the billamending the Revised Code in reference to Apprentices, striking out all difference in regard to color, there has nothing of a general nature been finally acted upon. Mr. Leach's bill to protect property sold under execution from sacrifice, has occupied two days of the Senate, and a most interesting and able debate has attended its consideration. The bill was sustained by Mr. Leach and opposed by Messrs. Wilson, Hall and McCorkle. The negative had the better of the argument, but the affirmative majority of votes. The bill passed its second reading on Thursday, and pending its final passage on Friday, the Senate adjourned. It will come up again to-day as the unfinished business.

The bill provides that where property is to be sold under execution, it is to be valued by two disinterested freeholders, and unless it brings its full value, the Sheriff or other officer shall postpone the sale for twelve months. This is one of the many schemes of "relief" now before the General Assembly, but as the Supreme Court of the United States has already decided in express terms the unconstitutionality of a similar act by the Legislature of Illinois, it seems that its passage would be idle and wicked clap-net, and may lead to dangerous and ruinous ends. Under the false security of such a law, should it again be held unconstitutional, vast amounts of property may pass from its owners for a "mere song," for if the act does not protect the debtor, the highest bidder, however insignificant the offer may be, would secure the property should it be withdrawn after once offered and bids made.

The General Assembly is very justly determined to make an honest effort to relieve the present necessities of the people, and it is truly to be hoped that something, within the limits of the law, may be devised and adopted without resorting to the radical means in some instances proposed. Radicalism in National politics is fast drifting the country to inevitable ruin. Our Legislature, by a manly conservatism in all State legislation, should endeavor to stem the torrent. Every afternoon the peculiar friends of "relief" hold a caucus in the Hall of the House of Commons, at which some thirty or forty members attend, but as yet no definite action has been determined upon. Many members seem to think that unless some compromise is settled upon the tens of thousands of writs which are now being issued to the Spring Terms of the Superior Courts will have no tribunal to be returned to, as many, very many advocate the abolition of the term.

The committee appointed by the House at the last session to take into consideration this subject, is understood to be ready to report, and will do so to-day. The bill to be presented has had the careful consideration of lawyers of that body, and some of the ablest legal minds of the State. It is thought by the friends of the proposed bill that it will stand the test of the Courts, and is framed with due consideration for the necessities of both creditor and debtor. As soon as reported its provisions will be forwarded.

Mr. Waugh, the intelligent and zealous Comptroller from Surry, introduced into the House on Friday, a bill to enable the Western (Fayetteville) railroad company to extend its road across the N. C. railroad to the Virginia line near Mt. Airy. The bill grants full power to the President and Directors to extend this road across the N. C. railroad by the most practicable route to pass by or near Salem, and thence by or near Mt. Airy to the Virginia line. The Public Treasurer is to be authorized to subscribe to the capital stock one million of dollars, to be paid with the second Mortgage Bonds of the Wilmington, Charlotte & Rutherford railroad, one-half of which is to be spent on the East, and the other on the West of the N. C. railroad, and private subscriptions are to be expended upon that side of the N. C. railroad upon which the stockholder lives. The bill has been referred to the committee on Internal Improvements.

If any portion of the State can claim consideration it is that section through which this proposed road is to run. To find an inlet or outlet, the people of Forsythe and Surry have to wagon their products and merchandise many miles. A vast extent of rich agricultural and mineral lands will be open to the North Carolina lands, whose wealth is now locked up or finds a tedious and expensive outlet through Virginia.

The decision of the Supreme Court in the matter of Hughes, already published in the Journal, has excited much comment among the bar in attendance on that Court and the members of the Legislature. It is almost universally condemned in unmeasured terms. That such a paper, evidently prepared before the beginning of the term and appended to the case in question with as much propriety as if it had been to the Appellate case, (see elsewhere) or any other case before the Court, should be *Per Curiam*, surprises and mortifies the friends of some of the distinguished Judges. When the Supreme Court enters the arena of politics to reply to anonymous letters published during an election long since decided, it is at least to be regretted that it is not done with more ability.

The New Hanover Criminal Court bill has not yet been reached in the House. In the Senate, on Saturday, the bills to incorporate the Bladen Land Company and the Bladen Manufacturing Company, were called up and passed to an enrollment, through

the efforts of Mr. Lloyd, who watches with jealous care over the interests of his constituents.

Education in North Carolina for the Future.

Nothing received a greater shock in the great and disastrous struggle through which the South has passed in the last few years than Education in all its useful branches. No subject ought at any time to command more earnest consideration, or receive more generous support and wise direction. Taking it for granted that its paramount importance is admitted by all, we purpose, in a series of articles, treating of Education in a comprehensive view, beginning with the very fundamental principles, and enlarging upon its various branches, and the adaptability of each to different classes of society. We shall endeavor to point out the necessities of each class, and to the best of our ability indicate what will be most beneficial in the development and improvement of the moral and mental faculties, and the means which can be most aptly employed for producing the most desirable results.

The genius of our people and the principles of government alike declare the necessity for some system by which the rudimentary elements may be imparted to all. To estimate the value of such acquisition on their part, is more than human wisdom may accomplish. What then is that method by which all the children of the State may receive that rudimentary instruction, which will enable all to enter the course of an active, busy life with fairness and hopeful prospects? We believe that the first requisite is to have uniformity; the second that the instructors should be thoroughly competent, and the third, that there be some fixed and responsible head; that head made so by definite appointment, and controlled by palpable law. To establish uniformity, the law must place in the hands of some party or parties the duty of organizing a system and establishing regulations. In many of the States this is intrusted to a Board of Education or of Public Instruction, and we know of no more desirable arrangement. The proper qualification of the teachers may be secured by requiring from all those who adopt the high and responsible calling of instructing children, that they possess characters unblemished by moral deformity, and intellects trained and directed to the object in view. Why are lawyers, physicians, merchants, bankers, tradesmen, in fact, almost every other occupation, specially trained for the particular pursuit? There is but one answer, and that is, that to insure success, such experience is indispensable. If we but look properly at the past and will examine the operations of the present, the necessity for this preparation on the part of teachers will be so apparent, that argument will be needless to enforce it. Teaching effectually is one of the highest arts. To attain excellence in it requires assiduous study and unwearying patience and energy. The most brilliant genius is as likely to fail, as a teacher, as the least gifted, if he neglect that careful preparation, and disregard that constant attention to, and accurate study of, youthful characteristics, and that just discrimination of particular temperaments, and above all, that unswerving impartiality and sense of justice which spring from innate rectitude. These are requisites in men and women who go forth to teach; and added to these must be a thorough knowledge of what is to be taught, for he who understands but imperfectly, will be sure to impart vaguely and inaccurately.

Legislation will be necessary to start the system, and good judgment will have to be exercised in selecting an Educational Board. They should be men who will be willing to labor in the cause over which they are placed; men whose acquirements fit them for the position; and although we are poor, let us realize that practical truth, that men generally do that best for which they are best paid. Honorary titles and empty honors, or in teachers that talent which is indispensable to accomplish worthy ends.

As a great incentive to education, conventions of all the teachers, of whatever grade, should be called at least yearly for full discussions of all subjects pertaining thereto; for such as theories, essays or individual efforts may tend to advance this great cause, the combined and united exertions of those striving for one purpose, must make far greater strides. Besides, teaching is eminently a practical art, and one which will be susceptible of improvement so long as the human mind shall be capable of making new discoveries in knowledge.

Primary education in its general or universal application, as is heretofore contemplated, must be conducted in its details with the greatest circumspection; and among other considerations which should receive strict attention, is that which should prevent the careless mingling of the sexes. With great reason we have cause to be proud of the chastity of the females of our State, and it should be our constant care to throw around them every proper safeguard to secure to future generations this pure and inestimable virtue. It is not prejudice, but conviction, founded on observation, which leads us to assert the belief, that much of the vice so prevalent among the "femal propagandists" of many portions of the North, is traceable to the promiscuous and unrestrained mixing of the sexes of all ages at the public schools.

What has been stated is intended to be alike applicable to both races, white and black; but it should be forever required that the two races be kept separate and distinct. We will go as far, and do as much for the blacks in their own sphere, as any one; but for every reason which ought to influence the good and wise, we insist upon complete distinctness of race and association. Give to them every facility for improvement; protect them in every right; assist and direct them in every effort for their advancement, and until they can have persons from among themselves properly educated for the duties, let us from our best men and women furnish teachers for them, for by so doing we fulfill our duty, and we do that which will redound to the

negro's most lasting welfare, as well as protect ourselves against the false teachings of those who do not love, if, in truth, they do not hate us.

Internal Revenue.

We give below two letters lately received from the Deputy Commissioner of Internal Revenue at Washington to the Collector of this District in reply to letters asking for instructions on certain questions. The instructions will be found of importance, and the attention of Collectors of Districts contiguous to this market is particularly called to them.

It will be seen that the instructions expressly direct the Collector at this point "to refuse to recognize all permits for the removal of cotton where the blank is not properly filled, in accordance with instructions, or where it wants the official seal of the Collector or other officer by whom it purports to have been issued."

We publish these letters with a view to remedy an evil to which our merchants have been subjected by the negligence or ignorance of Collectors or their deputies, in the districts of South Carolina contiguous to this market. In many instances where cotton has been sent to this port for shipment, the permits were without the official seal. They have been in the habit of issuing permits and draw back papers, drawn up properly it is true, but simply bearing the signature of the officer, accompanied with an imitation of a seal. Cotton so sent, has been detained by the Collector of this district, who, in obedience to instructions, has refused to recognize all permits wanting the official seal. Our merchants have in instances of this character been compelled to return the papers to the point from whence issued, in order to have them bear the impress of the official seal. Particularly has this fact been noticed in connection with papers accompanying cotton from the first district of South Carolina.

The remedy proposed is this: That each District Collector furnish his Deputies with blanks bearing the impress of the official seal, and there will be no difficulty in the way of recognizing the permit when the cotton arrives at the port of shipment, and the inconvenience resulting to the merchants from the present loose system of doing business on the part of collectors will be done away with.

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE,
Washington, January 22d, 1867.
SIR:—Yours of the 17th inst., enclosing permit for the removal of cotton, not bearing the impress of the official seal of the District Collector, was received, and asking if this was considered essential, was duly received.

In reply, I have to say that officials in all cotton producing districts have been notified that the official seal is essential in all cases to the validity of the permit, and that in the absence of the seal, no permit for the removal of cotton where the blank is not properly filled, in accordance with instructions, or where it wants the official seal of the Collector or other officer, by whom it purports to have been issued.

Very respectfully,
W. H. HARRIS,
Deputy Commissioner.

L. G. ESTES, Esq.,
Collector 2d Dist.,
Wilmington, N. C.

TREASURY DEPARTMENT,
OFFICE OF INTERNAL REVENUE,
Washington, January 22d, 1867.
SIR:—Yours of the 17th inst., enclosing letter of Williams & Marchant, relative to the order of the Collector of Customs, requiring them to show permits for the removal of cotton, was received, and the same can be allowed to land at the port of New York, was duly received.

In reply, I have to say that it is not necessary to have permits for the removal of merchandise, liable to tax, under the Internal Revenue Laws, from the Southern States, except in the cases of cotton or other merchandise, transshipped in bond.

Respectfully,
W. H. HARRIS,
Deputy Comr.

L. G. ESTES, Esq.,
Collector 2d Dist., Wilmington, N. C.

With feelings of pride, affection and gratitude for its author, we call attention to the speech copied on our first page, of Major Moses, lately delivered in the Legislature of Georgia. To worthy notice its patriotic eloquence is more than we can even hope to do; but the sentiments expressed in its glowing language touch, like electric fire, every chord of our heart's dearest and tenderest sympathies. From every sentence we may learn the lessons of true patriotism, and by every word which fell from his lips, which seemed inspired by the theme, we are taught to love, to honor and to cherish all that is honorable in a noble life—all that is glorious in heroic deeds.

Let the young and the old of every class in our own beloved State learn to experience and practice that patriotism, that pride, that affectionate gratitude, which will make us forever to enshrine in our hearts the memories of North Carolina's immortal dead, and to exalt in imperishable history the deeds of those children who died for her liberty.

Into the hands of the pure and noble women of our State, with love and reverence commit the sacred keeping of their ashes, and we know that they will inspire their remaining husbands, sons and brothers, and their descendants for all time, to be worthy of the record of our Confederate dead. To them all future ages will look with wondering admiration, and exclaim, peerless immortals!

Apprentices.

We publish this morning an important decision of our Supreme Court upon the question of Apprentices. There is no question of more general interest to our people at present, and it has been the subject of an important correspondence between Governor Worthy and General Howard, and General Sewell is now in Raleigh to confer with the State authorities.

The General Assembly, on Saturday last, amended the fifth chapter of the Revised Code, by striking out in the first and second sections thereof, the portions making a difference between the binding of white and black children. The law is now the same, without regard to color.

The decision which we publish to-day will be found to possess general interest upon this subject, and will correct errors heretofore fallen into by our County Courts in reference to this matter.

There have been so many radical changes in our laws, and so many questions of grave importance are being settled by the Supreme Court, that we shall spare no labor or expense to get early and correct reports of all decisions of important general interest as early as possible.

Wm. Pollock, of Pittsfield, Mass., died recently, leaving \$1,500,000.

Crops of Eastern North Carolina for eight years preceding the War.

We present to our readers the following tables of leading articles transported over the Wilmington and Weldon Railroad, from 1854 to 1861, showing the quantity of each article brought to this market and carried to Weldon for either Petersburg or Portsmouth. From this statement we see that in 1860 there was more Cotton brought to Wilmington than was carried to Petersburg and Norfolk together; viz: 15,893 bales to Wilmington and 15,363 bales to Weldon.

There are some interesting facts shown by this table, as indicating the direction certain products take for their market; for example, bacon, wheat, flour and naval stores, uniformly sought Wilmington in preference to Virginia cities.

Could we induce capitalists to seek our city and open wholesale stores here for the sale of goods usually wanted by our people east and west, we might draw to our town much that now goes elsewhere. Who will look into this matter? This was, before the war, the best West India goods market in the United States, and why shall it not be so again?

Very soon the railway connections will be made between the cities of Richmond and Petersburg by which loaded cars may run from the Cape Fear to the Potomac.

What then hinders our merchants from sending molasses, sugar and the like West India goods by rail to those cities, and in return bring flour and tobacco, either for home consumption or exportation? The lumber wanted in the West Indies should bring in at low prices all the molasses, sugars, &c., &c., wanted, not only to supply North Carolina, but a portion of Virginia from this port.

Who will move in this matter? Let us see; but don't all start at once, for if you do the business will be overdone.

More of this again.

Statement of the Leading Articles of product transported over the Wilmington & Weldon R. R. from Jan. 1st to Dec. 31st, 1861, in the 30th day of September, 1861.

Articles	1854	1855	1856	1857	1858	1859	1860	1861
Cotton	15,363	15,893	15,363	15,893	15,363	15,893	15,363	15,893
Wheat	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Flour	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Bacon	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Naval Stores	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000

THE SAME ARTICLES DETAINED AT WILMINGTON.

Articles	1854	1855	1856	1857	1858	1859	1860	1861
Cotton	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Wheat	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Flour	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Bacon	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Naval Stores	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000

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The Supreme Court—The Hughes Case—Traveling out of the Record.

One of the gravest faults of which a Judge can be guilty, is that of going beyond the questions presented for his decision to pronounce an opinion upon other matters not necessarily involved in the issue. Under our system his duty is simply to pronounce what is the law arising upon a certain state of facts submitted to him. Every postulate laid down by him not presented by, or logically springing out of, the facts before him, is a mere dictum (as it is technically termed) and of no binding authority. These dicta will often be found in judicial decisions, and to them is attached as much, or as little importance as the character of the Judge may, in the reader's opinion, justify, but they are not authority. It may be, and in revolutionary times it is, difficult to avoid intermingling political questions with these of a purely legal nature; but with the former an American Judge has nothing to do, except perhaps where questions of constitutional law may be involved, wherein he is restricted to the question of power, or of International Law as applying between governments. If he discusses the political course of any man or party, he sells his ermine, and prostitutes his office. The independence of the Judiciary is the sheet anchor of every free government. The illustrious Chief Justice Marshall said, "the greatest curse which angry Heaven could inflict upon a sinning people, would be a dependent judiciary."

No State has ever had a purer or more independent Bench than North Carolina. Choate for Chief Justice, and up to the present time, the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the Journal of the 24th inst. Hughes was charged with kidnapping, and up to the present time the judicial ermine of the State has been spotless. But we confess to a sense of shame and sorrow on reading the judgment of the Supreme Court in the *habes corpus* case of Hughes, published in the